

### **REMARKS**

Claims 1-22 are now present in this application. Claims 1, 8, 18, and 20-22 are independent. Claim 23 has been canceled, no claims have been added, and claims 1-6, 8-13, 15-20, and 22 have been amended. Reconsideration of this application, as amended, is respectfully requested.

#### **Request for Accepted Drawings**

The Office Action Summary does not indicate that the drawings are accepted. Since no objection has been received, Applicants assume that the drawings are acceptable and that no further action is necessary. However, Applicants respectfully ask the Examiner to indicate the acceptance of the drawings in the next Office Action.

#### **Request for Evidence based on Examiner's Official Notice**

Applicants note that Official Notice may be taken of facts outside of the record which are capable of instant and unquestionable demonstration as being "well-known" in the art. See *M.P.E.P. 2144.03*. However, if the assertion is traversed, references must be cited in support of the position taken in the Official Notice. See *Id.* The assertion of the Examiner's Official Notice is traversed because Applicants believe that the Examiner's mere assertion that "[t]he capability [of using] the jamming signal detecting means compares a level of the jamming signal with a plurality of predetermined signals is old and well known in the art" is not sufficient in establishing an instant and unquestionable demonstration of being "well-known" based on the prior art cited. (See Office Action, page 6, section 7, paragraph 2, line 12 and page 9, line 12.) For example, Gangitano (U.S. Patent No. 6,580,452) fails to explicitly disclose a jamming signal, therefore, the Examiner's assertion is invalid and it would *not* be "well-known" to have "[t]he capability [of using] the jamming signal detecting means [that] compares a level of the jamming signal with a plurality of predetermined signals." *M.P.E.P. 2144.03* states "the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained." Therefore, based on this traversal, Applicants respectfully request the Examiner to provide documentary evidence for all features the Examiner relies on for Official Notice (*i.e.*, features of dependent claims 3 and 10).

However, “[i]f the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding.” See *Id.* Therefore, the Examiner must either provide documentary evidence of all of the features, provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding, or allow the pending application.

#### **Specification Objections – Abstract**

The specification (Abstract) have been objected to for minor informalities. The Abstract has amended as required by the Examiner. Therefore, the objection to the specification (Abstract) should be withdrawn.

#### **Claim Rejection - 35 U.S.C. § 101**

The Examiner rejected claims 22-23 asserting that claims 22-23 are not directed to statutory subject matter. Applicants have amended claim 22 and canceled claim 23. Amended claim 22 now recites, *inter alia*, “A non-transitory computer-readable medium having instructions stored thereon, said instructions are read and executed by a processor, wherein the processor (i) receives at least a video signal by wireless communication and (ii) displays an image and the processor is configured to perform the steps of...” As such, Applicants respectfully submit that amended claim 22 is directed to statutory subject matter. Based on this amendment, it is respectfully requested that the outstanding rejection be withdrawn.

#### **Claim Rejection - 35 U.S.C. § 102(e)**

Claims 1-2 and 18-22 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Gangitano (U.S. Patent No. 6,580,452). Applicants respectfully traverse this rejection.

**Claim Rejection - 35 U.S.C. § 103(a)**

Claims 3-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Gangitano. Claims 8-17 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Gangitano in view of Ohgami et al. (U.S. Patent Publication No. 2003/0120742). Applicants respectfully traverse these rejections.

**Argument 1 of 2: Examiner's broad interpretation is improper**

Independent claim 1 recites, *inter alia*, "a jamming signal detecting unit detecting, in an operating frequency band used for the wireless communication, a jamming signal other than the video signal." *Emphasis added.*

In contrast to the claimed invention, Gangitano only discloses a determination of the received signal strength from the received (video) signal. (See Gangitano, abstract and lines 9-39 of col. 3)

However, one of ordinary skilled in the art would not broadly interpret a determined received signal strength (*e.g.*, a signal to noise ratio – SNR) as a jamming signal based only on the claimed features. Furthermore, the specification (see line 22 of page 11 through line 11 of page 12) states that:

"Note that: the signal other than the received video signal refers to a signal from which no recognition information signal is detected, and will be hereinafter referred to as "jamming signal". For example, in the 2.4 GHz band, the display apparatus B is likely to receive such a jamming electric wave, i.e., a jamming signal from a device such as a microwave oven."

Therefore, the Examiner broad interpretation of a determined received signal strength (from a received video signal) as the claimed "jamming signal" is improper and not valid in the intended scope of the meaning of "broad interpretation."

Thus, independent claim 1 is submitted to be allowable over Gangitano for at least the above reasons.

Independent claims 8, 18, and 20-22 are allowable for similar reasons as set forth above in reference to independent claim 1. (It should be noted that Ohgami fails to make up for the deficiencies of Gangitano (in regards to independent claim 8).)

Dependent claims 2-7, 9-17, and 19 are allowable for the reasons set forth above with regards to the independent claims at least based on their dependency on the independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-2 and 18-22 under 35 U.S.C. § 102(e).

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 3-17 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1-22 are respectfully requested for at least the above reasons.

## **Argument 2 of 2: Features of independent claims not disclosed by cited prior art**

Independent claim 1 recites, *inter alia*, “a jamming signal detecting unit detecting, in an operating frequency band used for the wireless communication, a jamming signal other than the video signal.” *Emphasis added.*

Assuming *arguendo* that a determined received signal strength may be properly interpreted as a detected jamming signal, Gangitano fails to explicitly disclose that the jamming signal is a different signal that the video signal as required by the claimed invention.

As stated above, Gangitano only discloses a determination of the received signal strength from the received video signal. (See Gangitano, abstract and lines 9-39 of col. 3) For example, Gangitano explicitly states that a “[s]ignal strength detector 22 is configured to sample the received signal presented from antenna 12 and determine a relative signal strength.” (See Gangitano, lines 9-12 of col. 3.) Therefore, Gangitano fails to explicitly disclose “detecting...a jamming signal other than the video signal” because the received signal strength is *not* a different signal than the received video signal (instead it is determined based on the received video signal).

Thus, independent claim 1 is submitted to be allowable over Gangitano for at least the above reasons.

Independent claims 8, 18, and 20-22 are allowable for similar reasons as set forth above in reference to independent claim 1. (It should be noted that Ohgami fails to make up for the deficiencies of Gangitano (in regards to independent claim 8.)

Dependent claims 2-7, 9-17, and 19 are allowable for the reasons set forth above with regards to the independent claims at least based on their dependency on the independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-2 and 18-22 under 35 U.S.C. § 102(e).

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 3-17 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1-22 are respectfully requested for at least the above reasons.

## **Conclusion**

In view of the above remarks and amendments, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh (Reg. No. 62,278) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: September 2, 2010

Respectfully submitted,

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